



CITY COUNCIL

Public Works Committee

Monday, March 19, 2007
Agenda
5:00p.m.

- I. Committee of the Whole** **5:00 p.m.**
 - Security Camera Project
 - Crime Plan Update

- II. Expiration and Renewal of Lease Agreements** **5:30 p.m.**
 - Meeting with representatives of the Isaak Walton League to discuss terms of the proposed Engelman Dam Conservation Lease.
 - Meeting with representatives of East Ends to discuss terms of lease renewal.

- III. Review of City Vehicle Policy** **6:00 p.m.**

- IV. Establishment of Environmental Policy Board** **6:30 p.m.**

Upcoming Topics

Loading Zone Policy (Jan)
Street Light replacement/installation (Jan)
Consent Decree Timeline (*requested at Oct Committee Meeting*)
Lighting & care of City Park Memorials (March)
Rehabilitation of Penn Street Fountain (March)
Vehicle Use Policy (April)
Update enforcement of Dumpster Ordinance (April)

1-215 Use of City Vehicles

A. Identification of City Vehicles

1. Any vehicle that is owned, leased, rented or loaned to the City of Reading, except vehicles in the Police Department, shall be appropriately marked with the City Coat of Arms and an identification number permanently, conspicuously and prominently displayed on the vehicle.

B. Motor Vehicle Record (MVR) Requirements:

1. An applicant for a position with the City of Reading, whose job duties include driving a City vehicle, will have his/her current MVR reviewed, prior to being employed, by the hiring authority or so delegated official. If the MVR has greater than eight points in a 24 month period listed for traffic violations or a conviction or pending charge for driving under the influence during that period, that applicant will be disqualified from consideration for the position in question.

2. If a current employee whose job description includes the duty to operate a City vehicle, has, at any time, an MVR that is found to be greater than eight (8) points according to the points scale for the Pennsylvania Motor Vehicle Code, that employee shall be required to attend a defensive driving course at his/her own expense. The accumulation of points is for a 24- month period. The date of reference for points accumulation shall be the date of the conviction. Risk Management shall be responsible for reviewing, around the anniversary date of the employee's initial hiring or promotion to a position necessitating the driving of a vehicle, the employee's MVR.

3. The employee who is identified as having an MVR greater than eight (8) points will be given two weeks from the date of notification to present a certificate from a school of defensive driving to the appropriate department head and to Risk Management, or the employee's driving privileges will be suspended until such certification is presented.

4. Any current employee arrested for driving under the influence of alcohol or drugs will be immediately prohibited from operating City vehicles. If the person is ultimately found not guilty of driving under the influence of alcohol or drugs, driving privileges will be returned immediately. If the person is found guilty, driving privileges will be taken away for an additional period not to exceed one (1) year starting with the initial date driving privileges were revoked. If greater than one year has elapsed between the date of arrest and conviction for DUI, the employee's driving privileges will be revoked for, at least, an additional 90 days from the date of conviction. It is the responsibility of the employee to report such an arrest or conviction to his/her supervisor.

5. Under no circumstances shall a City employee whose license has been cancelled, revoked, suspended, or expired operate a city owned vehicle. Any employee who fails to report a change in his/her driver's license or the receipt of a citation for a moving violation shall be subject to one or more of the following:

- Letter of reprimand, or
- Suspension without pay, or
- Revocation of driving privileges and transfer/demotion to a job not requiring the ability to drive, or
- Termination of employment

C. Use of City Vehicles

1. City vehicles are the property of the City and shall be used only for official City business.

2. Vehicles shall be used by City employees only upon authorization by the Managing Director and Department Director. Vehicles shall also be accessible to elected officials. For the purpose of this ordinance, City employees are defined as workers on the City payroll and workers paid by Federal grant programs that serve as part of the City's workforce. Elected officials means the Mayor, City Council and City Auditor.
3. City vehicles shall be operated only by City employees or elected officials with a current and validated operator's license which reflects the appropriate classification for the size and type of the vehicle driven. If non-City personnel accompany a City employee, they may share the driving only when authorized by the employee's respective department head.
4. Only in cases of an emergency shall a City employee or elected official operating a City vehicle carry passengers that are not employed by the City or engaged in business with City personnel if not approved by their immediate supervisor.
5. IN NO CASE shall vehicles be used for personal errands.
6. Each vehicle shall have a log wherein daily mileage, trip destinations, drivers and repairs shall be recorded. The log shall be filed each month with the Department Director, Risk Management and City Auditor.
7. *Take home vehicles will be provided to the Managing Director, Police Chief, Fire Chief, and Public Works Director. Take home vehicles will not be provided to on-call employees or to elected officials. Take home vehicles can be assigned to employees and elected officials by the Managing Director for isolated events (See Section E below).*
8. *City pool vehicles are to remain within the City limits unless the employee is undertaking approved and necessary official City business and shall be parked overnight at designated City-owned facilities. **Keys for the pool vehicle shall be signed in and out on a daily basis with the Department Director or his designee.***
9. Department heads shall be responsible for:
 - Ensuring that employees are aware of the driver's license requirement and Motor Vehicle Record (MVR) requirement of this policy.
 - Ensuring that the proper procedures are followed for certifying employees to operate City vehicles.
 - Ensuring employees are aware of and comply with the seat belt usage requirement.

D. Limits on Use of City Pool Vehicles

1. *City pool vehicles shall be assigned to employees who need transportation that will allow them to fulfill the duties assigned by their City Department. City vehicles may not be used for any personal transportation or errands.*
2. Employees authorized to commute in a take-home City vehicle may be subject to imputed income tax regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation.
3. On December 1st of each year, the City Auditor shall be responsible for determining any tax liability for employees and will be provided with the names of all employees authorized to use City vehicles for commuting purposes. Employees who are assigned marked and unmarked police and fire vehicles, and/or marked municipal vehicles carrying tools and meeting certain other eligibility criteria will not be subject to imputed income taxation as a result of the vehicle assignment.

4. City *pool* vehicles assigned to employees during the work shift as part of the employee's normal work duties may not be used for personal errands of any nature.
5. Any employee who is assigned a *pool* vehicle as part of his/her normal duties is authorized to use the *pool* vehicle as transportation to lunch and back to the work site only when approved by the foreman or supervisor on a particular job site.

E. Assignment of City Pool Vehicles

1. *Department Directors may assign employees to use City-owned pool vehicles made available by the Public Works Department City Garage when the employees duties require intercity travel. The City Garage will determine which vehicles are assigned to all City Departments, Divisions and Offices. The City Garage will also recall the vehicles to provide scheduled maintenance.*

2. The Managing Director and Department Director shall have the authority to provide City employees with the ability to *temporarily* take home pool vehicles. For an employee to be authorized the *temporary* take-home use of a *pool* vehicle, one of the following tests must be met:

Test 1: The employee is:

- a. a city resident and *has experienced continued and* frequent after-hours emergency callback involving first response to a real or present threat to life or property requiring an immediate response, and
- b. required to use a specialized vehicle, tools, or equipment for the performance of emergency duties.

Test 2: The employee is:

- a. a city resident and *has experienced continued and* frequent after-hours callbacks to locations other than the employees normal duty station, and
- b. a special vehicle, tools or equipment are required to perform these after-hours assignments, and
- c. an unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment

Test 3: The employee is:

- a. scheduled to attend a meeting, event, or conference within driving distance from the City of Reading

2. Employees shall commute to and from their regular shift at their own expense.
3. City vehicles cannot be taken home for convenience or if you are simply "on call" and do not require special equipment.

F. Funding of City Vehicles

1. Expenditures for City vehicles (inclusive of purchase and maintenance) shall be presented in the annual budget for the City Garage.
2. Repair and/or replacement of City vehicles involved in accidents (major or minor) or catastrophic incidents will be charged back to the appropriate department, division or office.
3. The cost of repair or replacement may be assessed to the responsible employee, as determined by the Accident Review Board.

G. Gas Cards

1. Gasoline is supplied at the City gas pumps for City vehicles used for City business. Gas cards will be assigned to each City owned vehicle and can be used to provide gasoline only for that vehicle at the City gas pumps.

H. Reimbursement

1. The process of obtaining mileage reimbursement and the insurance protection afforded employees for use of their private vehicles while on City business shall be provided in the Personnel Handbook.

I. Accidents and/or Traffic and Parking Violations

1. Any accident, traffic or parking violation while using a City vehicle shall be reported to the Department Director. The Department Director shall provide notice to Risk Management and City Solicitor.
2. Further personnel action as to the employee involved in the accident shall be suspended until the City Solicitor gives directions with regard to the disposition of the employee and/or accident review/investigation. A representative of the City Solicitor shall be present at ALL hearings of the Accident Review Board.

J. Accident Review Board

1. Effective with implementation date of this policy, there shall be created an Accident Review Board. The purpose of this board will be to review all motor vehicle accidents that involve City of Reading employees.
2. The Risk Management will serve as the administrator of the Accident Review Board. As administrator, Risk Management will be responsible for setting the agenda for the Board, determining the meeting dates and times, and keeping minutes from the Board. All decisions of the Board will be forwarded by the Risk Management to the affected department head for implementation. *The decision is to be implemented by the department unless the employee requests an appeal before City Council.*
3. The Accident Review Board will consist of the following five (5) voting members, who shall serve for a term of one year. All five members must be present to effect a recommendation for any discipline of an employee. In the event a Board member is unable to attend, the appointing authority shall be empowered to select an alternate, who shall serve as alternate for a term of one year. The members will be appointed as follows:

Representative of the Police Department (appointed by the Chief of Police)

Representative of the Fire Department (appointed by the Fire Chief)

Representative of the Public Works Department (appointed by the Public Works Director)

Representative of the Finance Department (appointed by the Finance Director)

Representative of the Police Department who has experience, of a supervisory level, in the investigation of accidents. (appointed by the Chief of Police)

4. The members of the Accident Review Board will elect a chairperson. That chairperson will conduct the meetings and serve as parliamentarian. All Board meetings will be operated according to an accepted rule of order as determined by the Board.

5. All departments will submit accident reports/incident reports involving their employees to Risk Management for review. Risk Management shall conduct an initial investigation to determine whether the accident was CLEARLY NON-PREVENTABLE. Those accidents that are deemed CLEARLY NON-PREVENTABLE, after investigation by Risk Management, will not need to be reviewed by the Accident Review Board. Risk Management will notify the effected department head of whether the accident is clearly non-preventable or whether the accident is being referred to the Accident Review Board.

6. The employee/driver involved in an accident which is to be reviewed shall be given *at least* two weeks written notice by the Board of the date when he/she is to appear before the Board. The written notice shall be given by the Risk Management. A Risk Management representative shall be responsible for serving as the prosecutor. The prosecutorial responsibilities will include calling witnesses and presenting evidence to the Board. The employee/driver shall also have the right to bring witnesses and submit evidence to the board. *Employees are not entitled to be represented by an attorney at the Board meeting.*

7. The Board review will determine whether an accident was preventable or non-preventable and recommend disciplinary action for implementation by the employee's department head. The Board may also assess the repair and/or replacement of the vehicle to the employee. The Board will use the following criteria to make these decisions.

- Number of previous preventable accidents while operating a City vehicle.
- Severity of the loss
- Contributing/mitigating circumstances to the accident
- The egregious/wanton nature of the accident
- Consideration of the preventability of the driver's actions
- *The employee's previous work record*

8. *Any appeal of the board's decision will be made directly to the City Council Office within five (5) working days.*

K. Violations

1. It is the responsibility of the operator to operate the vehicle in a manner that is courteous, safe, and in compliance with all City and State traffic and parking regulations. The individual City employee shall assume complete responsibility for any citations resulting from violations of parking and traffic laws incurred while operating the City vehicle.

2. Accidents occurring during any unauthorized use of a City vehicle shall be the sole responsibility of the operator.

3. Vehicle operation which is unauthorized or for personal uses will result in disciplinary action and/or dismissal.

4. Operators violating the provisions of this ordinance shall forfeit any future rights to use City vehicles.

CHAPTER 1 - WHAT ARE ENVIRONMENTAL ADVISORY COUNCILS?

Environmental advisory councils are officially constituted municipal boards created to advise local governments on environmental issues and policies. Any municipality or group of municipalities in Pennsylvania can create an EAC by ordinance.

Authority for Creation of An EAC: Act 148 of 1973

In 1973, the Pennsylvania General Assembly passed Act 148 authorizing any municipality or group of municipalities to establish, by ordinance, an environmental advisory council to advise the local planning commission, park and recreation board, and elected officials on matters dealing with the protection, conservation, management, promotion, and use of natural resources located within the municipality's territorial limits.

Mandated Responsibilities

The enabling legislation requires each council to keep records of meetings and activities and to issue an annual report, which should be printed in the municipality's annual report or, if there is no municipal report, made available to the public in other ways.

Specific Powers

Act 148 empowers environmental advisory councils to:

- Identify environmental problems and recommend plans and programs to the appropriate municipal agencies for the promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within its municipal boundaries;
- Promote a community environmental program;
- Keep an index of all open space, publicly and privately owned, including flood-prone areas, swamps, and other unique natural areas, for the purpose of obtaining information on the proper use of such areas;
- Make recommendations for the possible use of open land areas;
- Advise the appropriate local government agencies, including but not limited to the planning commission and park and recreation board or, if none, the elected governing body, on the acquisition of property, both real and personal.

Multi-Municipal Councils

Act 148 gives individual municipalities the authority to join with neighboring municipalities to form regional, multi-municipal environmental advisory councils. Multi-municipal councils are desirable because they provide a mechanism for neighboring local governments to join together to focus on natural systems, such as watersheds, forests, or aquifer recharge areas, as units rather than as fragments. The regional perspective offered by a multi-municipal EAC can be highly beneficial to the participating municipalities as they plan, individually or together, for natural resource protection.

Membership and Terms

Act 148 stipulates that an environmental advisory council may be composed of three to seven members, who serve without compensation and are appointed to staggered three-year terms. EACs with three members can function effectively; however, there are significant advantages to having a full complement of seven, such as access to a wider range of expertise and the ability to undertake more projects.

Members are appointed by the local governing body. In the case of multi-municipal EACs, each participating municipality appoints an equal number of members to serve on the council.

Act 148 states that "whenever possible, one member shall also be a member of the municipal planning board." This cross-representation can be an important factor in the effectiveness of a council.

Beyond this recommendation, members are not required to represent specific groups or to have particular areas of expertise. Such requirements may, however, be included in the ordinance adopted by a municipality creating a council. This allows each municipality to create an EAC that is best able to deal with issues particular to its region. In general, the most important qualifications are interest in environmental issues, interest in local government and planning issues, and willingness to devote time to the council's projects. It is always helpful, however, to have at least some members with expertise in relevant areas of science and planning.

When new councils are formed, and when vacancies on existing councils occur, the governing body (although not required by law to do so) should advertise the open positions and attempt to fill them with a broadly representative group of individuals.

In the event that there are more applicants than positions, the governing body can establish an associate member program. Associate members can provide valuable assistance on council projects, and should be given primary consideration when openings on the council occur.

Officers

The chair of a council is selected by the governing body, except in the case of a multi-municipal EAC, where the chair is selected by the council itself. The enabling legislation does not mention the election of other officers, but the general practice in Pennsylvania has been for local ordinances establishing councils to provide for the election of other officers (e.g., vice chair, recording secretary) at the first or second meeting each year. The local ordinance also can spell out the terms and responsibilities of these officers.

Funding

Act 148 enables local governments to appropriate funds for the operation of environmental advisory councils to cover administrative, clerical, printing, and legal service costs. The amount of the appropriation is to be determined by the local governing body. All or part of any funds appropriated in a year may be expended, placed in a conservation fund, or allowed to accumulate from year to year.

Council Budget

Act 148 does not mandate that EACs have designated funding; therefore, environmental advisory councils in Pennsylvania operate on budgets ranging from nothing to thousands of dollars. A governing body may want to consider a minimum budget of \$500 to cover the basic operating expenses that will enable a council to function effectively.

Once budget parameters have been established by the governing body, it is advisable for an EAC to prepare an annual budget report for submission to the municipality. The chair and treasurer of the EAC can work together to prepare and submit the annual budget to the municipal authority. The treasurer may also want to submit an expense and income report with the budget. To keep the EAC informed regarding the budget, the treasurer can report on the status of funds at each meeting.

Possible operating expenses

- Literature
- Courses and conferences for council members
- Office supplies and postage
- Compensation for municipal secretarial assistance
- Sponsorship of educational programs for local residents
- Dues for affiliation with environmental, educational, and planning organizations

Examples of projects requiring additional funding

- Development of an Environmental Resource Inventory
- Publication and distribution of a council newsletter
- Organization of and publicity for community park or town cleanup programs

Other Sources of Revenue

Act 148 does not specifically address the issue of an environmental advisory council raising funds for its activities. The issue of fund-raising can be addressed in the municipal ordinance establishing an environmental advisory council, by authorizing the council to seek funds for its projects through grants, gifts, and defined fund-raising activities.

State Assistance

Act 148 designated the State Conservation Commission in the Department of Environmental Resources (DER), to be responsible for the establishment of an assistance program for environmental advisory councils. This program was to include educational services, exchange of information, technical assistance for natural resources planning, and the coordination of state and local conservation efforts.

In addition, the Act directed the Secretary of Community Affairs to establish an assistance program for environmental advisory councils in planning for the management, use, and development of open space and recreation areas.

For various reasons, primarily lack of funding, none of these provisions of the Act has been carried out—although the departments do take an interest in environmental advisory councils and recognize their importance and potential. Efforts were made in the past by the state to identify EACs and provide them with assistance, but it has been unable to establish a permanent office to carry out these responsibilities. The EAC Network was established to provide this service to EACs, and it is working with the newly formed Department of Environmental Protection and Department of Conservation and Natural Resources to promote a more active state role in the support of EACs.

Note: The full text of Act 148 is printed in the Appendix, located at the back of this handbook.



CITY OF READING,
PENNSYLVANIA

M E M O R A N D U M

TO: Marcia Goodman-Hinnershitz, City Council District 2
FROM: Chris Kanezo, Deputy City Clerk
DATE: 03/13/07
SUBJECT: City Environmental Advisory Board

Environmental Advisory Boards/Councils are municipal boards created to advise local governments on environmental issues and policies. Any municipality may create an EAB, the authority having been provided by the State with the adoption of Act 148 of 1973. Act 148 provides a number of specific EAB responsibilities:

1. Identify environmental problems and recommend plans and programs to the appropriate municipal agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the boards municipal boundaries;
2. Promote community environmental programs;
3. Keep indexes of all open space, publicly and privately owned, including flood-prone areas, swamps, wetlands and other unique natural areas, for the purpose of obtaining information on the proper use of such areas;
4. Make recommendations for the possible use of open land areas;
5. Advise the appropriate local government agencies on the acquisition of property, both real and personal.

As the name suggests a City Environmental Advisory Board (EAB) would serve as an advisory body to City Council and the Administration, providing guidance and leadership in regard to environmental issues in the City of Reading. In May of 2004 the Berks County Commissioners established a County EAB, which was tasked with providing the same assistance to the County Commissioners. Assuming a local board follows the County model, City Council will need to pass an ordinance establishing the board (see attached draft). The general structure of the board is provided for in the body of the ordinance. If necessary, further detail could be contained in bylaws drafted and approved by Council, or the board could prepare their own bylaws. Council should seriously consider assuming the responsibility of preparing the bylaws. This would accomplish two objectives:

1. The role of the board can be quickly and clearly defined, with the advisory relationship being made abundantly clearly;
2. Not having to spend precious time addressing organizational concerns would allow the board to immediately undertake issues of environmental importance.

After establishing the EAB Council will need to consider acceptable standards and qualifications for membership and vet perspective members carefully, through the established administrative oversight process. Citizens with an active interest in environmental policy,

conservation, land use, etc. and city staff with environmental responsibilities and backgrounds would be prime candidates.

As far as policy is concerned, the EAB must be free to pursue matters of interest to members of the board. However, the members must remember they serve in a strictly advisory capacity and their direction comes from City Council. Bylaws can be tailored to ensure the board will not deviate from an advisory role. Please consider the attached documents. Discussion on the establishment of an EAB is scheduled for the March Public Works Committee meeting.

Cc: City Council

Linda Kelleher, City Clerk

Michelle Katzenmoyer, Administrative Assistant

Leon Churchill, Managing Director

Thomas McMahon, Mayor

ORDINANCE NO. _____-2007

AMENDING PART 5 BOARDS, DEPARTMENTS, COMMISSIONS, COMMITTEES AND COUNCILS, CHAPTER 1 ADMINISTRATION AND GOVERNMENT, BY ADDING PART L CITIZENS ENVIRONMENTAL ADVISORY BOARD.

WHEREAS, the City of Reading possesses many beautiful and natural assets that provide economic and social benefits to current and future generations of Reading residents;

WHEREAS, communities are dependent on their natural resources of land, air, and water and therefore responsible for restoring and preserving these invaluable assets; and,

WHEREAS, the City of Reading is committed to active environmental stewardship, as it is the only way to protect the vital natural resources endowed to our community; and

WHEREAS, economic activity should serve the common good, be self-renewing, and build local assets and self-reliance whenever possible; and

WHEREAS, a sustainable community seeks to enhance and unify these three key community indicia of well-being—social equity, economic self-reliance, and environmental balance—while taking precautions not to compromise the quality of life of future generations; and,

WHEREAS, communities throughout the United States have established municipal sustainability Departments, environmental advisory boards or other entities to ensure the long-term local quality of life; and

WHEREAS, local and regional sustainable and environmental initiatives will be fostered by the formation of an independent advisory board whose role is to increase awareness in both public and private sectors and to help guide actions to protect and sustain the environment by government, citizens, and businesses; and

WHEREAS, the City of Reading is equally committed to fostering collaboration between the citizenry and government through providing opportunity for volunteers to serve on boards, authorities and commissions.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING hereby ordains as follows:

SECTION 1: Part 5 Boards, Departments, Commissions, Committees and Councils, Chapter 1 Administration and Government of the City of Reading Codified Ordinances is hereby amended as follows; all other provisions of the City of Reading Codified Ordinances inconsistent herewith are repealed.

**CHAPTER 1 ADMINISTRATION AND GOVERNMENT
PART 5 BOARDS, DEPARTMENTS, COMMISSIONS, COMMITTEES AND COUNCILS
L. ENVIRONMENTAL ADVISORY BOARD**

§ 1-599.16. PURPOSE

The EAB dually organized under these bylaws shall have the power to study environmental issues at the request of City Council and make recommendations to Council on those issues. The EAB will work with City Council in an advisory capacity in an effort to help Council analyze environmental issues and when appropriate issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Berks County.

§ 1-599.17. MEMBERSHIP

- 1) The EAB is composed of seven (7) voting members, chosen to serve three year staggered terms and appointed by City Council. These members shall reflect the geographic, demographic, technical, and non-technical backgrounds of the citizens of Reading.
- 2) Advisory Board members having three or more unexcused absences in a calendar year may be replaced by City Council. Notification of potential dismissal from the Advisory Council will be mailed by the Chair to the board member following a second absence within a calendar year.

§ 1-599.18. MEETINGS AND VOTING

- 1) Monthly meetings. Regular meetings of the EAB will be determined by the membership of the EAB. Notices of a EAB meetings will be posted on the City of Reading website, the Municipal Access Channel and if necessary, a newspaper of general record.
- 2) Special Meetings. Special meetings may be requested by the Chair, or by a majority of the EAB members. Such special meetings shall be held at such place, date and hour as may be designated by the person or persons authorized herein to call such a meeting.
- 3) Written or phone notice of such a special meeting shall be given by the Chair to the Advisory Council members at least five(5) days and not more than twenty-one (21) days prior to the meeting. City Council and the public shall be notified for such meetings in appropriate manner; i.e. posting the date, time and location on the City website, posting on the municipal access channel, sending a letter to City Council, etc.
- 4) Quorum. In the event a quorum is not present at any meeting, the members may reschedule the meeting for a later date with the required notice. A quorum shall consist of more than 2/3 of the current voting members. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the Council.
- 5) Voting. Each member is entitled to one vote, with the voting governed by parliamentary procedure according to Robert's Rules of Order.

- 6) Notes: notes from meetings will be kept and copies of the meeting's notes will be sent to the City Clerks Office and each member of the EAB.
- 7) All meetings or portions of meetings at which action is taken shall be open to the public. However, the EAB may meet in closed session for discussion purposes, pursuant to "The Sunshine Act of 1987."

§ 1-599.19. OFFICERS AND COMPENSATION

- 1) Officers. The EAB shall elect from among their members a Chair and a Vice-Chair at the first meeting of each calendar year. Officers shall serve for one year or until their successors are elected.
- 2) Chair. The Chair shall preside at all meetings of the Board and shall have the duties and powers normally invested in the Office of Chair. He/she shall enforce the by laws and regulations of the EAB. He/she shall be the official spokesperson for the EAB.
- 3) Vice-Chair. The Vice-Chair shall carry out the Chair's duties in case of absence, incapacity, or resignation.
- 4) Secretary. The Secretary will be responsible for keeping the official minutes of the EAB and preparing all correspondence on behalf of the EAB.
- 5) Compensation. No board member shall receive any salary or payment for his/her services. Financial support of the EAB can be provided by City Council through the authorization of an appropriation to the General Fund Budget.

§ 1-599.20. DUTIES

- 1) To coordinate at the request of Council ongoing, and to propose and promote new environmental protection and sustainability initiatives among residents, businesses, governmental and non-governmental agencies, and educational organizations through education and outreach programs.
- 2) To advise and make recommendations to City Council, City Administration, and City boards, authorities and commissions on policies and programs that infuse the work of City government with an operating philosophy based on environmental protection and sustainability.
- 3) To recommend plans and programs to the appropriate agencies for promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within the City of Reading and surrounding areas.
- 4) Make recommendations as to the possible use of open land areas within the the City of Reading.

- 5) To promote community environmental awareness programs.
- 6) Keep an index of all open areas, publicly or privately owned including but not limited to: flood prone areas, wetlands and other unique natural areas.
- 7) To prepare an annual report to City Council on its activities, goals and accomplishments.
- 8) For each issue that the EAB reviews, it will generate a report to City Council that sets forth its findings and dissenting opinions if any.
- 9) To consult and cooperate with other agencies, departments, boards, authorities and commissions of the City of Reading on environmental matters.

§ 1-599.21. BYLAWS

- 1) The Environmental Advisory Board Bylaws will be drafted and adopted by City Council.
- 2) If at any time the established bylaws are determined to be at conflict with EAB activities or impose too great a set of constraints, the EAB may request City Council amend the bylaws. The request, along with specific recommendations must be submitted to City Council in writing. Upon receiving a request for amendment, City Council will meet with representatives of the EAB to discuss the request. Amendments to the EAB bylaws must be approved by City Council through Resolution.
- 3) City Council reserves the right to amend the bylaws of the EAB through the adoption of subsequent Resolutions.

§ 1-599.22. HEARINGS

- 1) In addition to those required by law, the EAB may hold public hearings when the EAB and City Council decide that such hearings will be in the public interest.
- 2) Except as required by law, notice of the time and place of such hearings, when on matters of widespread interest, shall be published in at least one newspaper of general circulation in the territorial jurisdiction of the hearing, not earlier than two weeks prior to the hearing. For matters of limited territorial interest, notice shall be given in such manner as is deemed appropriate by the EAB.
- 3) The matter before the EAB shall be presented in summary by some person designated by the Chair, and parties in interest shall have privilege of the floor.
- 4) No record or statement shall be recorded or sworn to by the EAB as evidence for any Court of Law without notice to the parties mentioned in the record or statement.
- 5) A record shall be kept of those speaking before the EAB at such hearings.

- 6) Copies of all testimony and other evidence provided at a Public Hearing must be forwarded to the City Clerks Office at the conclusion of the hearing.

§ 1-599.23. INTER MUNICIPAL COOPERATION

- 1) No part of this Ordinance shall prohibit the Reading Environmental Advisory Board from cooperating with similar organizations in other jurisdictions.
- 2) In the interest of efficiency the Reading Environmental Advisory Board may wish to form a joint board with other jurisdictions. Any merger shall be treated as an amendment of this ordinance requiring the approval of City Council.

SECTION 2: Council will appropriate \$500.00, as recommended by the Pennsylvania Department of Environmental Protection to cover basic operating expenses, which will enable the board to function effectively.

SECTION 3: Effectiveness of Ordinance. This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2007

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____